

NO. PD-0797-17

DAVID ARROYO

VS.

STATE OF TEXAS

§ IN THE COURT OF  
§  
§ CRIMINAL APPEALS  
§  
§ OF TEXAS

FILED  
COURT OF CRIMINAL APPEALS  
4/18/2018  
DEANA WILLIAMSON, CLERK

**MOTION TO EXTEND TIME TO**  
**FILE RESPONSE TO PETITION FOR DISCRETIONARY REVIEW**

**TO THE HONORABLE JUDGES OF SAID COURT:**

Now comes David Arroyo, Appellant in the above styled and numbered cause, and moves for an extension of time of 60 days to file a response to the State of Texas' petition for discretionary review, and for good cause shows the following:

1. On July 19, 2017, the Court of Appeals reversed and rendered in part and affirmed in part appellant's conviction. David Arroyo v. State, 04-15-00595-CR. This petition is therefore due on April 23, 2018.

2. Counsel has been unable to complete the petition for the following reasons: Appellate counsel Andrea C. Polunsky was removed from David Arroyo's appeal after the Opinion on Rehearing was issued by the Fourth Court of Appeals for medical reasons. Undersigned counsel was appointed on March 20, 2018 to the Petition for Discretionary Review requested by the State of Texas. Undersigned counsel was involved in the preparation of the appeal in Desrochers

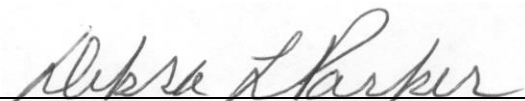
v. State, 04-17-00650-CR with appellant's brief due on April 20, 2018. Undersigned counsel was not the appellate counsel on direct appeal therefore needs adequate time to become aware of the issues presented in the Petition for Discretionary Review and prepare a response.

3. Defendant is currently incarcerated.

**WHEREFORE, PREMISES CONSIDERED**, appellant respectfully requests an extension of 60 days, i.e. until June 16, 2018, to file a petition for discretionary review.

Respectfully submitted,

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By: \_\_\_\_\_

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Attorney for David Arroyo

**CERTIFICATE OF SERVICE**

This is to certify that on April 18, 2018, a true and correct copy of the above and foregoing document was served on the District Attorney's Office, Bexar County, 101 W. Nueva, San Antonio, Texas 78205, by E-mail to [awarthen@bexar.org](mailto:awarthen@bexar.org).

  
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Debra L. Parker